

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

VICTORY ILSUNG,

No. 2:20-cv-1032 JAM DB P

Plaintiff,

## ORDER

MICHAEL YEH,

Defendant.

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. Plaintiff claims defendant violated his rights under the Eighth Amendment by failing to provide treatment and accommodation for a serious medical condition.

On June 21, 2021, defendant filed a motion to opt out of the post-screening ADR project (ECF No. 18.) Defendant argues the court should grant the motion to opt out because after speaking with plaintiff by mail they have determined that a settlement conference would not be productive. (*Id.* at 2.) After reviewing the motion, the court finds good cause to grant defendant's motion.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Defendant's motion to opt out (ECF No. 18) is granted and the stay of this action is  
3 lifted;

4 2. The settlement conference scheduled for September 28, 2021 is vacated;

5 3. Within twenty-one days from the date of this order, defendant shall file a responsive  
6 pleading.

7 Dated: June 24, 2021



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10 DEBORAH BARNES  
11 UNITED STATES MAGISTRATE JUDGE  
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16 DB:14  
17 DB:1/Orders/Prisoner/Civil.Rights/ilsu1032.opt.out  
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